

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IPC SYSTEMS, INC.

Plaintiff

v.

PATRICK GARRIGAN

Defendant.

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Case No. 1:11-CV-03910-AT

**PLAINTIFF IPC SYSTEMS, INC.’S
MOTION FOR RECONSIDERATION**

COMES NOW Plaintiff IPC Systems, Inc. (“IPC”) and, pursuant to Rule 7.2(E) of the Local Rules of the United States District Court for the Northern District Court of Georgia, hereby files this its Motion for Reconsideration of the Court’s April 26, 2012 Oral Opinion and Order, showing as follows:

IPC requests that the Court reconsider the Oral Order issued at the April 26, 2012 hearing in which the Court held that the parties’ ESI Protocol should provide for the imaging of the emails and instant messages of certain IPC employees.

It is improper to require that the emails and instant messages of certain IPC employees be imaged as there is no nexus between those emails and instant messages and any of the claims or defenses in this case and there is no legal or

factual basis to require such imaging. Therefore, the Court should reconsider its ruling and DENY Defendant Patrick Garrigan's request that the ESI Protocol provide for the imaging of the emails and instant messages of certain IPC employees.

WHEREFORE, IPC respectfully requests that the Court GRANT the Motion for Reconsideration and order that the requirement for the imaging of the emails and instant messages of certain IPC employees be stricken from the ESI Protocol in this case.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted this 23rd day of May, 2012.

BERMAN FINK VAN HORN P.C.

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COUNSEL FOR PLAINTIFF
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CERTIFICATION OF COMPLIANCE WITH
LOCAL RULE 7.1D and 5.1B

Pursuant to Local Rule 7.1D and 5.1B, the undersigned counsel hereby certifies that the foregoing document complies with the Local Rules' requirements as to font in that it has been prepared in Times New Roman 14 point.

This 23rd day of May, 2012.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on May 23, 2012, I electronically filed the foregoing **PLAINTIFF IPC SYSTEMS, INC.'S MOTION FOR RECONSIDERATION** with the Clerk using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

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Respectfully submitted,

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